

REMARKS

Claims 1-10 are pending and are rejected. Claim 1 is canceled and replaced with new claim 11. Claims 2-10 are amended.

The Examiner states that an English translation of Czech Application No. 14679-03 has not been provided. Applicants cite the Interview Summary mailed June 23, 2008 which states that an English translation is not necessary at this time.

Applicants acknowledge that if an intervening reference is cited, an English translation of the priority application will be submitted.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 1-10 are rejected under 35 U.S.C. §112 ¶2 as indefinite.

New claim 11 replaces claim 1, now canceled, and recites a method with process steps.

Amended claims 2-10 more specifically recite embodiments of how the method is practiced.

Applicants respectfully assert that claims 2-10 are sufficiently definite and respectfully request withdrawal of the rejection.

Claim 6 is amended to delete "chewing substance" to render the claim sufficiently definite.

In claim 10, Applicants respectfully disagree that the limitation "instant drink or syrup" is unclear. A person of ordinary skill in the art knows the metes and bounds of both an "instant drink" and a "syrup" and, in further support of this, Applicants attach a Declaration under 37 C.F.R. §1.132.

Applicants respectfully assert that these rejections are overcome and respectfully request their withdrawal.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

Claim 1-10 are rejected under 35 U.S.C. §101.

New claim 11 replaces claim 1, now canceled, and recites a method with process steps.

CONCLUSION

Applicants believe the application is in complete condition for allowance and authorize credit card payment of the fee for a three-month extension (see Electronic Fee Calculation sheet). If additional fees are deemed necessary, the Office is authorized to charge them to Deposit Account No. 20-0809.

The Examiner is invited to telephone Applicants' undersigned representative with questions.

Respectfully submitted,
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